

REMARKS/ARGUMENTS

Claims 1-15 are pending in the instant application.

Applicants gratefully acknowledge the courtesies extended by the Examiner in the telephone interview held January 5, 2004, with the undersigned Applicants' representative concerning the status of the captioned application and the instant rejection. The substance of that telephone interview has been correctly summarized by the Examiner in the Office action mailed January 12, 2004.

The Examiner has rejected claims 1-15 under 35 U.S.C § 102(e) as being unpatentable over Ravikumar et al. (US Patent 6,465,628 issued October 15, 2002).

As that application issued after the filing of the captioned application, and has a priority date of February 4, 1999, one day prior to the filing of provisional patent application number 60/118,575, to which the captioned application claims priority, the Examiner suggested that Applicants may wish to file a Declaration under 37 C.F.R. § 1.131 to swear behind the cited reference.

In response, Applicants submit herewith a Declaration under 37 C.F.R. § 1.131 which demonstrates that prior to February 4, 1999, the inventors had possession of the invention as described in the captioned application. The Declaration and attached supporting documentation clearly demonstrate that Applicants performed deprotection using TEA and DEA on oligonucleotides while attached to a substrate and that such deprotection results in diminution and/or loss of the n+ impurities as compared with

oligonucleotides deprotected only by the standard methodology using ammonium hydroxide.

The Declaration has been signed only by one Applicant, Anila Bhan. Applicant Lars Holmberg is on holiday and, despite attempts to contact him, has proven to be unreachable. As it is impossible to procure Mr. Holmberg's signature at this time, it is respectfully requested that the Declaration be accepted without it.

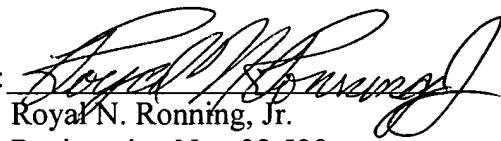
In view of the foregoing, Applicants respectfully submit the Examiner's rejections can not be sustained and should be withdrawn. Applicants believe claims 1-15, as currently presented, are in allowable form.

Early and favorable action is earnestly solicited.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 12, 2004.

Signature: 

Name: Melissa Leck